

Pursuant to Article 35, and related to Article 10, paragraph 1 and Article 20, paragraph 3, of the Law on Public-Private partnership and Concession of the Republic of Serbia („Official Gazette of RS“, no. 88/2011, 15/2016 and 104/2016) (hereinafter: „The Law on Concessions”),

The City of Belgrade

City Administration of the City of Belgrade

Secretariat for Public Transport (hereinafter: „Secretariat”), as a grantor
announces

PUBLIC INVITATION

for participation in the procedure for granting of
Concession for entrusting the performance of communal activity of public passenger transport on
night lines within the territory of the City of Belgrade

The Secretariat invites all interested domestic and foreign natural and legal persons that fulfil the requirements prescribed under this public invitation (hereinafter „Public Invitation“) to participate in the procedure for granting of the concession for the performance of the communal activities of public passenger transport on night lines within the territory of the City of Belgrade (hereinafter: „Concession“).

1. Contact details of the Secretariat

Expert team, The Secretariat for Public Transport

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2. Information on the Concession

2.1 The Subject matter of the Concession/ nature and scope of the concession activity

Article 10 of the Law on Concessions prescribes that the concession entails assignment to a private partner, inter alia, a right of performance of general interest activities. Article 2 of the Law on Communal Activities („Official Gazette of RS”, no. 88/2011, 104/2016 and 95/2018) further recognizes that communal activities are the general interest activities, as well as that „urban and suburban passenger transport“ is one of the communal activities, i.e. general interest activities.

The Concession shall be granted to a private partner by concession agreement upon completion of this Concession Procedure and selection of the most favourable bid. The subject matter of the Concession is performance of the communal activity of public passenger transport on night lines within the territory of the City of Belgrade.

2.2 Place of performing the Concession

The place of performing the activities envisaged by the Concession is on the territory of the City, as follows:

The list of lines and static characteristics of night lines are given in the Table below:

Number	Line		Number of vehicles	Type of vehicles	Medium line length Lmed. (km)	Number of half-turns	
	No.	Name				Week day	Weekend
1	15H	Trg Republike–Zemun/Novi grad	2	solo	11.270	12	14
2	26H	Dorćol/Dunavska – Braće Jerković	1	solo	9.701	8	8
3	27H	Blok 20 - Mirijevo 3	2	solo	15.175	12	12
4	29H	Studentski trg - Medaković 3	1	solo	7.869	6	8
5	31H	Studentski trg - Konjarnik	1	solo	7.105	6	8
6	32H	Trg Republike - Višnjica	2	solo	11.088	12	14
7	33H	Studentski trg - Kumodraž	1	solo	11.479	6	8
8	37H	Trg Republike - Kneževac	1	articulated	14.791	6	7
9	47H	Trg Republike - Resnik/Ž. Stanica/	2	solo	20.967	8	8
10	48H	Trg Republike - Miljakovac 3	1	solo	12.256	6	6
11	51H	Trg Republike - Bele vode	1	solo	12.716	6	7
12	56H	Trg Republike - Petlovo brdo	1	solo	15.803	6	7
13	68H	Trg Republike - Novi Beograd/Blok 45/	2	solo	9.251	12	16
14	75H	Vukov spomenik - Bežanijska kosa	2	solo	12.418	12	13
15	96H	Blok 20 - Kotež - Borča	1	solo	17.892	6	6
16	101H	Trg Republike - Padinska skela	1	minibus	18.264	6	6
17	202H	Trg Republike - Veliko selo	1	minibus	13.472	4	6
18	303H	Dorćol - Trg Republike - Vrčin - Zaklopača - Grocka - Begaljica	1	minibus	45.859	4	4
19	304H	Dorćol - Trg Republike - Leštane - Boleč - Ritopek	1	minibus	35.784	4	4
20	307H	Dorćol - Trg Republike - Vinča	1	minibus	20.349	6	6
21	308H	Dorćol - Trg Republike - Veliki Mokri Lug	1	solo	13.464	6	6
22	309H	Dorćol - Trg Republike - Kaluđerica	1	solo	15.834	4	4
23	401H	Dorćol/Dunavska/ - Beli potok - Pinosava	1	minibus	23.773	4	4
24	511H	Trg Republike - Sremčica	2	articulated	25.811	8	8
25	531	Trg Republike - Rušanj	1	minibus	22.096	6	6
26	601H	Trg Republike - Bečmen - Jakovo	1	minibus	31.695	4	6
27	603H	Trg Republike - Ugrinovci	1	solo	34.236	4	6
28	704H	Trg Republike - Altina - Zemun polje	2	solo	18.673	8	10
29	706H	Trg Republike - Nova Galenika - Batajnica	2	solo	22.229	8	10

2.3 Type of the Concession and the Concession Procedure

The Concession Procedure shall be implemented pursuant to Article 20, paragraph 3, in conjunction with Article 10, paragraph 1, and in compliance with Articles 35 to 41 of the Law on Concessions, the subject of which shall be performance of communal activity of public passenger transport on night lines within the territory of the City of Belgrade.

The Concession shall not be granted in phases. The Concession procedure shall be implemented without prequalification.

2.4 Concession Fee

The Concession Fee shall be paid by the concessionaire to the Secretariat, in compliance with the pace of payment determined in the Concession Agreement.

2.5 Term of Validity of the Concession

Term of Validity of the Concession shall be 10 years.

3. Participation in Concession Procedure

3.1 Obtaining Tender Documentation

Any stakeholder that fulfils requirements prescribed under the point 3.2 of this Invitation may participate in the Concession procedure and may download the tender documentation (hereinafter „Tender Documentation“) from the Public procurement Portal RS, as well as from the Contracting Authority’s. Consortiums may also participate in the Concession Procedure, in compliance with the terms prescribed under the Tender Documentation and the Law on Concessions.

The fee for obtaining the Tender Documentation shall not be charged.

3.2 Concession procedure Participation Requirements

3.2.1 Mandatory participation requirements

Each bidder shall be obliged to prove that:

- 1) it has been registered by the competent authority, i.e. registered in the appropriate register.
- 2) itself and its legal representative have not been legally convicted in the period of the previous five years from the day of deadline expiration for submission of bids, i.e. applications, unless a final judgment determines another period of prohibiting participation in the public procurement procedure, for:

(1) a criminal offence committed as a member of an organized criminal group and a criminal offence of association for the purpose of committing criminal offences;

(2) criminal offense of the abuse of position of a responsible person, criminal offense of abuse connected with public procurement, criminal offense of receiving bribes in performing economic activity, criminal offense of giving bribes in performing economic activity, criminal offense of abuse of official position, criminal offense of trading in influence, criminal offense of receiving and giving bribes, the criminal offense of fraud, the criminal offense of unjustified obtaining and using loans and other benefits, the criminal offense of fraud in performing economic activities and the criminal offense of tax evasion, the criminal offense of terrorism, the criminal offense of public incitement to commit terrorist acts, the criminal offense of recruitment and training for committing terrorist acts and the criminal offense of terrorist association, the criminal offense of money laundering, the criminal offense of terrorist financing, the criminal offense of trafficking human beings and the criminal offense of establishing slavery and transporting persons in slavery.

- 3) it has paid the due taxes, contributions for compulsory social security or that a binding agreement or decision, in accordance with the relevant regulation, has granted him a deferral of payment of debt, including all accrued interest and fines, or foreign countries when established in its territory.

- 4) it has a valid LICENSE issued by the ministry responsible for public passenger transport.

- 5) When compiling a bid, a bidder shall be obliged to explicitly state (Form no. 4 from the Tender Documentation) that in the period of the previous two years from the deadline for submission of bids he has not violated the obligations in the field of environmental protection, social and labour law, including collective obligations, and particularly the obligation to pay

contracted wages or other obligatory payments, including obligations in compliance with the provisions of international conventions listed in Annex 8 of the Law on Public Procurement.

The proof required for fulfilment of mandatory participation requirements are envisaged in detail under Appendix 1 attached hereto.

3.2.2 Additional participation/qualification requirements

1) that a bidder has the technical capacity to participate in the concession award procedure as follows:

Number of buses

Type of buses	Number of engaged buses	Spare buses	Total required number of buses
Solo bus	27	3	30
Articulated bus	3	1	4
Minibus	8	1	9

– age of vehicles that a bidder can compete with:

All registered vehicles must not be older than 10 years on the day of bid opening. The data on the age of the vehicle shall be taken from the read traffic license, i.e. a copy of the certificate of vehicle registration issued by the Ministry of the Interior. The age of the vehicle shall be calculated from the date of the first registration of the vehicle. Exceptionally, in case the year of the first registration and the year of production of the vehicle differ by more than 1 year, the date of the first registration shall be 31/12 of the production year.

Required number of service and towing vehicles: 1 service vehicle and 1 towing vehicle

All registered vehicles must meet the requirements prescribed by the Technical Specification for vehicles intended for passenger transport on night lines of public passenger transport (point 2.3 of the Tender Documentation).

The proof required for fulfilment of additional participation/qualification requirements are envisaged in detail under Appendix 1 attached hereto.

4. Criteria for selection of the most favourable bid

The criterion for the selection of the most favourable bid in this Concession Procedure shall be the highest Concession Fee offered.

In their bids, bidders shall state the amount of the Concession Fee per vehicle, which shall be equal to or higher than EUR85.00, spare vehicles excluded.

Elements of the criteria on the basis of which the Contracting Authority shall award the contract in a situation where there are two or more bids with identical Concession Fee:

If two or more bids have identical Concession Fee, the contract shall be awarded to the bidder whose selected fleet (vehicles at work) is of lower average age; the average age of the vehicle fleet shall be calculated on the basis of the age of each individual vehicle expressed in the number of years and months.

If two or more bids have the same amount of Concession Fee and the average age of the fleet, the Expert Team shall award the contract to the bidder by drawing lots. The Contracting Authority shall notify in writing all the bidders about the date when the draw shall take place. The draw shall be made publicly, in the presence of the bidders, by printing the names of the bidders with the same Concession Fee and the same average age of the fleet on separate papers, of the same

size and colour, and shall put all these papers in a transparent box from where they shall draw all the papers, and the Bidder whose name shall be on the first drawn paper shall be awarded a Concession contract. A record shall be made on the draw procedure.

The Contracting Authority shall evaluate only the bids in which the bidders responded to the required conditions from the invitation to submit bids and the Tender Documentation - appropriate and acceptable bids.

The bid that the Contracting Authority has determined as unacceptable shall not be evaluated, and the bidder may not subsequently supplement or amend it in order to make it acceptable.

5. Submission of bids

The bids' submission deadline shall be 60 days from the day of publishing the public invitation in the „Official Gazette of RS”. Public call is announced in “Official Gazette of the Republic of Serbia” from 22.10.2021. year. Bid submission deadline is until 12.00 a.m. at 21.12.2021. year.

The Bids shall be submitted in person or via certified mail with receipt confirmation, in closed envelopes/boxes, as further defined under the Tender Documentation. The Bids shall be considered as submitted upon their physical receipt by the Secretariat.

The Bids shall be submitted in Serbian language.

6. Notification on the results of the Concession procedure

Results of the Concession Procedure shall be disclosed no longer than 60 days from the bid opening date. The Secretariat shall deliver relevant decision, along with the Minutes of opening and evaluation of the Bids, to each bidder via e-mail and shall publish such decision at its official website and the Public Procurement Portal.

7. Protection of the rights of bidders

Legal protection in the procedure of awarding a public contract shall be provided in compliance with the law governing public procurements.

Any person interested in participating or who participates in the procedure of awarding a public contract may submit to the Republic Commission for Protection of Rights of Bidders in Public Procurement Procedures, on the basis of this Law, a request for the protection of rights against the decisions issued by a public body conducting a procedure that can be challenged separately, and that have been issued illegally, based on the opinion of the submitting party.

The request for the protection of rights shall be delivered to the Contracting Authority, and simultaneously, a copy of the request for the protection of rights shall be delivered to the Republic Commission at the following address: Nemanjina 22-26, 11000 Belgrade.

The request for the protection of rights may be submitted against any decision of the Contracting Authority, during the entire Concession Award procedure, unless the law provides otherwise.

The deadlines for submission of the request for the protection of rights shall be as follows:

- No later than three days before the deadline for submission of bids, in case the request for the protection of rights refers to the Tender Documentation or any other action related to the procedure of awarding the concession undertaken before the deadline for submission of bids, and
- 15 days from publishing the Outcome of the Concession Award Procedure, i.e. since the publishing of the Decision on the selection of the most favourable bid or the Decision on the annulment of the concession award procedure on the Public Procurement Portal.

If in the same Concession Procedure a request for the protection of rights is re-submitted by the same applicant, the actions of the Contracting Authority, that the applicant was aware of or could have been aware of when submitting the previous request, cannot be disputed in that request.

8. Bid Bond

Along with the bid, each bidder shall be obliged to submit the Guarantee of Seriousness of the Bid („Bid Bond“ in favour of the Secretariat, in the amount of RSD500.000,00 (five hundred thousand), with a validity period that is 5 (five) days longer than the validity period of the bid.

APPENDIX 1 – „Conditions for the participation in the Concession Award Procedure and the evidence for their fulfilment” can be downloaded from the website of the City of Belgrade www.beograd.rs, as well as on the website of the Secretariat for Public Transport www.bgprevoz.rs.